

Approved Training Provider Policy  
**EFFECTIVE 11/01/03**

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The following policy is **effective November 01, 2003**:

An Approved Training Provider Policy has been in draft form for a number of years. It has now been officially approved. The policy document will have a link to Training Services and be placed along with the Approved Training Provider List and application forms posted on the DWS Website: <http://jobs.utah.gov/Services/Training.asp>.

Please send comments regarding the approval of training providers to Patrice Spiegel at (801) 526-9768, or by email at [pspiegel@utah.gov](mailto:pspiegel@utah.gov).

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## TRAINING PROVIDER APPROVAL PROCESS

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### **TRAINING PROVIDER APPROVAL PROCESS – INITIAL ELIGIBILITY**

The State Council on Workforce Services, State Workforce Investment Board (SWIB) approves an occupational skills training provider or school before DWS administered funds can be used to pay occupational training costs for a customer at that school. The provider submits an application for Initial Eligibility to the appropriate Regional Council on Workforce Services. The Regional Council recommends or denies approval, and forwards all applications and recommendations to state staff for presentation to the State Council. The State Council votes on the recommendations at the general session for final approval.

The State Council has given region staff the authority to approve applications on its behalf, provided that the Regional Council gave approval and the application is complete. Under certain circumstances, state staff also has the authority to grant provisional approval. Final approval is granted by the State Council. The Approved Training Provider list is posted on the Internet at [www.jobs.utah.gov](http://www.jobs.utah.gov).

A training provider that offers basic education classes only, such as math, reading or English as a second language (ESL) classes, does not have to go through the approval process.

In the interest of streamlining the application process, expedited approval of training providers may be granted under one of the following conditions:

The training provider:

1. Offers federal financial assistance such as Federal Pell Grants;
2. Is approved by Utah State Office of Rehabilitation (USOR);
3. Is registered as a postsecondary proprietary school by Utah Department of Commerce (UDOC).

If the provider meets one of these conditions they may complete a one-page application, provide documentation of their Pell Grant, USOR or UDOC status and submit to the Region Council for approval.

All other training providers must submit a two-page application and include a financial statement, a grievance procedure for students, and an accessibility checklist.

All training providers must provide the following information for each training program seeking approval:

1. provider must have been in business for at least one year from date they apply for approval.

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2. Program completion rates for all individuals enrolled.
3. Percentage of all individuals enrolled who obtain unsubsidized employment.
4. Wages at placement for all individuals enrolled.
5. If applicable, the rate of Utah state or industry recognized certification, licensure, degree, or equivalent attained by all program graduates.

***For example, Certified Nurse Aid (CNA), Licensed Practical Nurse (LPN), or Novell Network Engineer.***

5. Program costs including tuition, all fees, and refund policy.
6. If available, description of placement services provided.

### ON-LINE LEARNING

On-line learning is training using a computer connection. On-line learning establishes a setting for students where lessons are assigned, completed and returned, and discussions with instructors are held on-line. On-line learning is approved when the provider has completed the appropriate approval process. Other criteria for approval:

1. Lead to the completion of a training program
2. Require students to interact with instructors
3. Require students to take periodic tests

### DISTANCE LEARNING

Distance learning is training using non-traditional education methods. Distance learning establishes a setting for students where lessons are assigned, completed and returned, and discussions with instructors are held on other venues. Distance learning is approved when the provider has completed the appropriate approval process. Other criteria for approval:

1. Lead to the completion of a training program
2. Require students to interact with instructors
3. Require students to take periodic tests

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4. Require students to be on campus or other approved facility for tests, clinicals, lab work or meetings with instructors. Approved facilities could be DWS Employment Centers (EC's), libraries or other public places.

### **RECIPROCAL AGREEMENTS BETWEEN STATES**

The State of Utah can enter into a reciprocal agreement with another state to broaden the choice of training options and sites available to eligible WIA customers who qualify for individual training accounts (ITA's).

Where an agreement has been negotiated, Utah and the other state agree to permit qualifying residents to use their ITA's to enroll in a program of training identified on the state's list of eligible training providers. Both states agree to maintain a publicly accessible list of WIA eligible training providers.

A reciprocal agreement can be initiated either by an internal customer or an external customer. The request goes to state staff who will negotiate with the state in question to create a reciprocal agreement. The completed agreement is presented to the State Council for final approval. Utah's DWS Executive Director and the State Workforce Investment Board (SWIB) Chair signs the approved agreement. After all parties have signed the agreement, ITA's can be developed to include out-of-state training.

### **ADDITIONAL CRITERIA**

1. DWS is allowed to make payments to a training provider or school, which requires full payment up front. This is allowed only if the training provider has a prorated refund policy stating they will provide a refund if the customer drops out.
2. DWS will conduct periodic reviews of provider performance data.
3. A school on the approved list may add a new program at any time. The new program will be given conditional approval until performance statistics are available for it.
4. Regional Councils may recommend additional approval criteria to the State Council. Once approved it will be added to policy for statewide consistency.

### **LOSS OF ELIGIBILITY**

If state staff and the State Council determine that a provider has substantially violated any requirement under the Workforce Investment Act (WIA), that provider may lose

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eligibility for a certain period of time, or another sanction may be imposed. Upon such determination, all EC's and the web page will be notified immediately what conditions have been imposed.

The State Council will hear the argument and make a decision regarding the school's status. The State Council's decision will be final. All requirements, sanctions, and the appeals process will be transmitted to training institutions in writing so they will be aware of their responsibilities and rights.

### **APPEALS**

If a provider is denied eligibility, an appeal can be filed with the entity issuing the denial. The DWS Regional Council or state council, which receives the appeal should hear and discuss it with the provider at the next scheduled meeting. The eligibility process should be clearly defined so that the merits of any appeal of an eligibility decision can be easily determined.

If state staff and the State Council determine that a provider has intentionally provided inaccurate information on an application, that provider will lose eligibility for two years from the date of the determination. Upon such determination, all Employment Centers (EC's) will be notified immediately not to utilize that provider and that information will be available on the web page.